

REMARKS

Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

A. Status of the Claims and Explanation of Amendments

Concurrently with this Amendment, Applicant files Information Disclosure Statement. The first reference disclosed in the IDS is the U.S. counterpart of JP2002-244924, which was included in the previously filed and acknowledged November 11, 2004 Information Disclosure Statement. The other references are applications that the inventor of the present invention, Wakao Satoru, is included as an inventor.

By this paper, the abstract is amended. Applicant notes that the abstract has been amended to enable the United States Patent and Trademark Office and the public generally to determine quickly from a cursory inspection the nature and gist of the technical disclosure and to aid indexing, classifying and searching. 37 C.F.R. § 1.72(b). This amendment is *not* intended to narrow, limit, alter or otherwise characterize what Applicant regards as the invention. It is, of course, the claims and not the abstract that defines the invention being claimed.

The specification is also amended. The amendments (listed above) were made to correct errors in the specification, specifically, that the “image verification unit 209,” not “the main controller 210,” determines whether the selected image file is “not altered” or “altered.” No new matter will be added to this application by entry of these amendments to the specification.

Claims 1-16 were pending. By this paper, claims 1-14 are amended, claims 15 and 16 are cancelled without prejudice or disclaimer, and new claims 17 and 18 are added herein. Claim 1 is amended to delete “adapted to verify,” “adapted to change,” “accessory,” “of,”

“when,” and “file is detected to have” and is amended to recite “which verifies,” “a digital image included in,” “a,” “which changes,” “additional,” “included in,” “if said verification unit verifies that,” “digital,” and “has.” Similar amendments were made to claims 2-14. New claim 17 is dependent upon independent claim 1 and recites the element: “wherein the additional information includes a thumbnail image of the digital image.” Similarly, new claim 18 is dependent upon independent claim 8 and recites: “wherein the additional information includes a thumbnail image of the digital image.” These amendments were not made for any substantive reason related to patentability (§§ 102, 103). Support for these amendments may be found throughout the application as originally filed, including for example at page 19, line 11, to page 27, line 27. Accordingly, no new matter will be added to this application by entry of these amendments to the claims.

The office action rejected claims 1-16 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,499,294 to Friedman (“Friedman”) in view of U.S. Patent No. 7,130,445 to Ruhl et al. (“Ruhl”). The rejections to claims 15 and 16 are rendered moot in light of their cancellation.

B. Claims 1-14, 17 and 18 are Patentably Distinct from the Cited References

The rejections of claims 1-14, 17 and 18 are respectfully traversed. As explained more fully below, the requirements for such rejections are not met. In particular, the references do not teach, disclose or suggest the “display form change unit” of Applicant’s claim 1.

Applicant’s claim 1 recites:

“1. An image verification apparatus comprising:

a verification unit which verifies whether a digital image included in an image file has been altered;
and

a display form change unit which changes a display form of additional information included in the image file if said verification unit verifies that the digital image has been altered.”

The office action concedes that Friedman does not teach, disclose or suggest the “display form change unit” of Applicant’s claim 1. [04/24/2007 Office Action at p. 3].

Friedman is directed toward an authenticating apparatus for verifying the authenticity of digital images. [Friedman, Abstract]. Friedman discloses an apparatus that uses a hash function in combination with a “public” or “private” key to determine whether image data has been altered.

[See Friedman, col. 6, lines 2-52]. However, Friedman does not mention “a display form.”

Accordingly, Applicant’s own review of Friedman confirms that Friedman does not teach, disclose or suggest a “a display form change unit which changes a display form of additional information included in the image file if said verification unit verifies that the digital image has been altered” as recited in Applicant’s claim 1.

The office action does assert, however, that Ruhl teaches a “display form change unit” as recited in Applicant’s claim 1. [04/24/2007 Office Action at p. 3]. Ruhl discloses a system for verifying the authenticity of documents. [Ruhl, Abstract]. The system may contain either a display or printer. [Ruhl, col. 6, line 67, to col. 7, line 7 (stating that the display and printer are optional components of the document verifying system)]. The display is capable of “displaying an electronic version of the resulting document image for viewing or displaying any other intermediary steps of the document authentication and verification process.” [Ruhl, col. 6, lines 63-67]. The printer is “capable is of printing a tangible copy of an image.” [Ruhl, col. 6, lines 4-6].

To support its assertion that Ruhl teaches the “display form change unit” of claim 1, the office action cites Ruhl at column 24, lines 44-64. [04/24/2007 Office Action at p. 3].

That text is a portion of Ruhl’s specification and reads as follows:

“The hash value comparing circuit, routine or manager 655 inputs the first and second verifier hash values and corresponding first and second authentication hash values from the document feature portion 623. The hash value comparing circuit, routine or manager 655 compares the first and second verifier hash value to the corresponding ones of the first and second authentication hash values. If the respective hash values are about equivalent, then the hash value comparing circuit, routine or manager 655 outputs a signal or an indication via the input/output interface 605 to the display device 900 over the link 905 and/or to the printer 1000 over the link 1005 that the document is unchanged from the signed document image data. If the respective hash values are not about equivalent, then the hash value comparing circuit, routine or manager 655 outputs, under control of the controller 610, a signal or indication via the input/output interface 605 to the display device 900 over the link 905 and/or to the printer 1000 over the link 1005 that the document has been altered since the authentication hash values were generated.”

[Ruhl, col. 24, lines 44-63]

The above referenced text states that the display or printer can be used to output whether the document image data has been altered. [Ruhl, col. 24, lines 50-63]. However, there is no mention of outputting “a display form.” In fact, Applicant’s review of Ruhl did not find any mention of “a display form.” Because Ruhl lacks any mention of “a display form,” it does not disclose “a display form of accessory information of the image file.” Therefore, Ruhl does not teach, disclose or suggest a “a display form change unit which changes a display form of

additional information included in the image file if said verification unit verifies that the digital image has been altered” as recited in Applicant’s claim 1.

Accordingly, as Applicant cannot find the “display form change unit” of claim 1 in Friedman or Ruhl, at least independent claim 1 and its dependent claims 2-7 are respectfully asserted to be in condition for allowance. For at least similar reasons, independent claim 8 and its dependent claims 9-16 also are respectfully asserted to be in condition for allowance.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art. Likewise, Applicant has chosen not to swear behind the documents cited by the office action or to otherwise submit evidence to traverse the rejection at this time. Applicant, however, reserves the right, as provided by 37 C.F.R. §§ 1.131 and 1.132, to do so in the future as appropriate. Finally, Applicant has not specifically addressed the rejections of the dependent claims. Applicant respectfully submits that the independent claims, from which they depend, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address such rejections of the dependent claims in the future as appropriate.

Appl. No. 10/815,504
Paper dated July 24, 2007
Reply to Office Action dated April 24, 2007

CONCLUSION

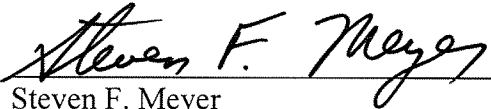
For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5362.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: July 24, 2007

By:


Steven F. Meyer

Registration No. 35,613

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile